

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

VANITY.COM, INC.,

No. C 12-2912 SI

Plaintiff,

ORDER RE: MOTION TO DISMISS

v.

VANITY SHOP OF GRAND FORKS, INC.,


Defendant.

On August 2, 2012, defendant filed a motion to dismiss plaintiff's complaint for lack of personal jurisdiction, or in the alternative, to transfer venue. Dkt. 7. A hearing on the motion is scheduled for September 14, 2012. Pursuant to Civ. L. R. 7-3, plaintiff's opposition was due on August 16, 2012. On August 16, 2012, rather than filing an opposition, plaintiff filed an Amended Complaint. Defendant has informed the Court via telephone message that its motion to dismiss is unaffected by the Amended Complaint and that it wants its motion heard as scheduled.

The Court considers the Amended Complaint the operative complaint in this case. As defendant has informed the Court that its currently filed motion to dismiss applies to the Amended Complaint, the hearing will remain on as scheduled. Plaintiff shall file an opposition to the motion to dismiss no later than **August 24, 2012**. A reply shall be filed by **August 31, 2012**.

IT IS SO ORDERED.

Dated: August 17, 2012



SUSAN ILLSTON
United States District Judge